

REMARKS

This Amendment is filed in response to a final Official Action on a Request for Continued Examination (RCE), and concurrent with a second RCE, for the above-identified patent application. The final Official Action of this RCE continues to reject all of the pending claims, namely Claims 1-15, 17-34, 36-48, 50-59, 61 and 62, under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2002/0173295 to Nykanen et al. As explained below, Applicants again respectfully submit that the claimed invention is patentably distinct from Nykanen, and accordingly traverse the rejection of the claims as being anticipated thereby. Nonetheless, Applicants have amended various ones of the claims to further clarify the claimed invention, including amending independent Claims 1, 20, 40 and 52. In view of the amendments to the claims and the remarks presented below, Applicants respectfully request reconsideration and allowance of all of the pending claims of the present application.

Again, Nykanen discloses a system and method for providing context-sensitive web services. As disclosed, the method includes receiving sensor signals characterizing a current environment of the wireless device, and processing those sensor signals with a context inference engine. The context inference engine then outputs a current context result such that useful information is provided to the user in response to the current context result. As further disclosed the context inference engine can be located local to the wireless device or remote from the wireless device at a network server.

According to one claimed aspect of the present invention, amended independent Claim 1 provides an apparatus including a context engine and a communication manager. As recited, the context engine is configured for storing context-related information, the context-related information having been created based upon at least a portion of one or more conditions (e.g., sensor readings). In this regard, the context engine is also configured for managing an exchange of the context-related information with one or more context consumers. In turn, then, the communication manager is configured for communicating with one or more context consumers for receiving one or more context rules and exchanging context-related information, with one or more of those context consumer(s) being located external to the apparatus. In this regard, the context rule(s) include one or more condition values relating to at least a portion of context-

related information, and further include one or more actions to be performed. The mobile station further includes a script engine configured for executing at least a portion of one or more context rules, including performing at least a portion of respective action(s), based on a comparison of the respective at least one condition value and one or more conditions measured by one or more sensors.

In contrast to the claimed invention, Nykanen does not teach or suggest an apparatus including a communication manager configured to receive context rule(s) including condition value(s) relating to context-related information, and one or more actions to be performed; and a script engine configured to execute context rule(s), including performing at least a portion of respective action(s) based on a comparison of the respective condition value(s) and one or more conditions measured by one or more sensors. In the final Official Action, the Examiner cites paragraphs 0061 and 0131-0132 as support for the position that Nykanen discloses the context rule features of former independent Claim 1. In paragraph 0061, Nykanen discloses that a Context Sensitive Services menu of the user's portable wireless device includes privacy control options, including an option for authenticating a program that may desire to receive the user's private data. As disclosed, once the user is satisfied that the program will not subvert the integrity or security of the user's private data, the user can register the program to grant the program access to the current context of the user's device and/or the user's private data. Then, in paragraphs 0131-0132, Nykanen discloses that the context inference engine of the user's wireless device may be limited in what it conveys to the context inference engine of a network server by the privacy control managed by the user. Further, Nykanen discloses that a program such as a calendar program may provide information to the context inference engine of the user's wireless device so that the respective context inference engine may use this information, as well as sensor information, "in the decision making of the Context inference Engine [] of the wireless device."

In the foregoing, the final Official Action appears to separately interpret decision-making actions by the wireless device user in authenticating a program to access personal data, and decisions of the wireless device's context inference engine in determining the user's context based on information from programs and sensors, as corresponding to performing actions based on context rules and conditions included therein, as per former independent Claim 1. Even

considering this interpretation, however, Nykanen still does not teach or suggest a context rule including a condition value, and performing an action based on a comparison of that value to a condition measured by a sensor, as now recited by amended independent Claim 1.

For at least the foregoing reasons, Applicants respectfully submits that amended independent Claim 1, and by dependency Claims 2-15, 18 and 19, is patentably distinct from Nykanen. Applicants also respectfully submit that amended independent Claims 20, 40 and 52 recite subject matter similar to amended independent Claim 1, including the aforementioned communication manager and script engine features of receiving context rule(s) and executing those rule(s) based on a comparison of condition value(s) and condition(s) measured by one or more sensors. Accordingly, Applicants respectfully submit that amended independent Claims 20, 40 and 52, and by dependency Claims 21-34, 37-39, 41-48, 51, 53-59 and 62, are also patentably distinct from Nykanen for at least the same reasons given above with respect to independent Claim 1. Applicants therefore respectfully submit that the rejection of Claims 1-15, 17-34, 36-48, 50-59, 61 and 62 under 35 U.S.C. § 102(e) as being anticipated by Nykanen is overcome.

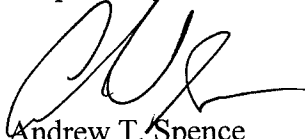
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CONCLUSION

In view of the amendments to the claims and the remarks presented above, Applicants respectfully submit that the present application is in condition for allowance. As such, the issuance of a Notice of Allowance is therefore respectfully requested. In order to expedite the examination of the present application, the Examiner is encouraged to contact Applicants' undersigned attorney in order to resolve any remaining issues.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



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